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On September 8, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: John Harada

PATENT
Attorney Docket No.: 02307O-077630US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

John Harada, *et al.*

Application No.: 09/516,052

Filed: March 1, 2000

For: LEAFY COTYLEDON1 GENES
AND THEIR USES

Examiner: Cynthia Collins

Art Unit: 1638

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Sir:

Petitioner, The Regents of the University of California, is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent No. 6,235,975, issued May 22, 2001. U.S. Patent No. 6,235,975 and the instant application were commonly owned at that time of invention of the subject matter claimed in U.S. Patent No. 6,235,975. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,235,975 are commonly

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owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as deemed in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No. 6,235,975, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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Date: August 29, 2003.

By: Linda S. Stevenson
Name: Linda S. Stevenson

Title: Manager, Patent Prosecution